

**OFFICE OF THE CHIEF OF POLICE**

**SPECIAL ORDER NO. 9**

**May 6, 2005**

**SUBJECT: REVISION OF TRAFFIC NOTICE TO APPEAR, FORM 04.50.0, AND  
NOTICE OF CORRECTION AND PROOF OF SERVICE, FORM 04.07.0**

**PURPOSE:** The Judicial Council of California (JCC) has mandated changes to Forms TR-110 (Traffic Notice to Appear) and TR-100 (Notice of Correction and Proof of Service). As a result, the Traffic Notice to Appear, Form 04.50.0, and the Notice of Correction and Proof of Service, Form 04.07.0, have been revised to comply with the State requirements. Additionally, the JCC mandates that corrections to the Non-traffic Notice to Appear (Release from Custody), Form 05.02.2, be made by completing a Notice of Correction and Proof of Service, Form 04.07.0.

**PROCEDURE:**

**I. TRAFFIC NOTICE TO APPEAR, FORM 04.50.0 - REVISED.** The Traffic Notice to Appear, Form 04.50.0, is revised.

**A. Use of Form.** The use of this form has not changed.

**B. Completion.** Current completion procedure remains in effect, with the following revisions and additions:

**1. Radar Box.** The radar box has been eliminated. The following procedures shall be followed when listing radar information:

- \* The radar or laser device indicated speed shall be listed in the "Speed Approx." box;
- \* The officer's observations including the estimated speed of the violator's vehicle shall be listed in the narrative portion of the traffic citation; and,
- \* The radar or laser device identification number and all information specific to the type of device used shall be listed in the narrative of the traffic citation.

**2. Thumbprint.** A box for the right thumbprint has been added to the face of the Court copy so that it can be scanned by the Traffic Court;

**Note:** Pursuant to Penal Code Section 853.5, a right thumbprint may be obtained on the Traffic Notice to Appear at the discretion of the arresting officer, when the violator does not have a driver license or other satisfactory

evidence of identity in his or her possession. When the right thumb or fingers cannot be printed, the left thumb or fingers shall be used and a notation to that effect shall be indicated next to the print.

**C. Distribution.**

- 1 - Original (green), submitted to the Traffic Court Liaison Unit (TCLU)
- 1 - Copy (white), given to the violator in the field by the issuing officer
- 1 - Copy (goldenrod), remains in the citation book

**3 - TOTAL**

When a juvenile is cited on a Traffic Notice to Appear, the issuing officer shall make a photocopy of the citation and attach it to his/her Daily Field Activities Report, Form 15.52.0. The reviewing supervisor shall forward the photocopy to Information Technology Division, Data Entry.

**II. NOTICE OF CORRECTION AND PROOF OF SERVICE, FORM 04.07.0.**

The Notice of Correction and Proof of Service, Form 04.07.0, is revised.

**A. Use of Form.** The use of this form has not changed.

**B. Completion.** Current completion procedure remains in effect, with the following addition:

- \* In the Proof of Service section, the issuing supervisor shall type or print their name in addition to signing and dating the form.

**C. Distribution.**

- 1 - Original (white), shall be attached to the original of the citation, submitted to the Traffic Court Liaison Unit (TCLU)
- 1 - Duplicate (pink), shall be mailed to the defendant via Departmental mail

**2 - TOTAL**

**III. ERRORS OR OMISSIONS ON NON-TRAFFIC NOTICE TO APPEAR, FORM 05.02.2.** The procedure to correct errors or omissions on the Non-traffic Notice to Appear,

Form 05.02.2, has been revised as follows:

- \* **Defendant's Copy Available.** When an error is noted on the Non-traffic Notice to Appear, Form 05.02.2, and the defendant's copy is available, the issuing officer shall draw a single line through the error and legibly print the correct information as near as possible to the error on the original and all copies of the Non-traffic Notice to Appear form. The officer shall write the words "Defendant Copy Corrected," followed by the officer's initials, in the margin above the form number on all copies of the Non-traffic Notice to Appear; and,
- \* **Defendant's Copy Not Available.** When an error or omission is noted on the Non-traffic Notice to Appear and the defendant's copy is not available, the correct information shall be reported on a Notice of Correction and Proof of Service, Form 04.07.0. The pink (defendant's) copy of the completed Form 04.07.0 must be mailed to the defendant in all cases. When the error or omission will impact a follow-up investigation, a Follow-Up Investigation, Form 3.14, shall also be completed.

**FORMS AVAILABILITY:** The Traffic Notice to Appear, Form 04.50.0, and the Notice of Correction and Proof of Service, Form 04.07.0, will be available for ordering from the Department of General Services, Distribution Center, in about 90 days. Copies of the revised forms are attached for reference. Department personnel shall continue to use the current Traffic Notice to Appear, Form 04.50.0, and Notice of Correction and Proof of Service, Form 04.07.0, until the revised forms are available.

**AMENDMENTS:** This Order amends Section 4/213.45 of the Department Manual.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Special Operations Bureau, shall monitor compliance with this directive in accordance with Manual Section 0/080.30.

**WILLIAM J. BRATTON**  
**Chief of Police**

Attachments

**DISTRIBUTION "A"**